

**REMARKS**

Claims 1 – 9 are pending and under consideration in the above-identified application.

In the Office Action, Claims 1 – 9 were rejected.

In this Amendment, Claims 1 – 9 are amended, and Claim 10 is added. No new matter has been introduced as a result of this Amendment.

Accordingly, Claims 1- 10 are now at issue.

**I. Objection To Claims**

Claims 3 and 9 were objected to because of informalities.

Applicants have appropriately amended these two claims as required by the Examiner.

Accordingly, Applicants respectfully request that this claim objection be withdrawn.

**II. 35 U.S.C. § 102 Anticipation Rejection of Claims 1 – 3**

Claims 1-3 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kubota et al. (“Kubota”) (U.S. Patent No. 6,128,056).

Claim 1 is directed to a light control device. The light control device comprises opposing substrates with a gap therebetween, liquid crystal in said gap sealed between said opposing substrates, said liquid crystal being a polymer network liquid crystal, and *optically transparent electrodes on gap-side surfaces of each of said opposing substrates and in contact with said liquid crystal*. The gap between said opposing substrates along an effective optical path has a width between about 4  $\mu\text{m}$  and about 11  $\mu\text{m}$

Referring to Applicants’ Figures 1A – 1D and 4A as illustrative examples, Applicants’ claimed invention comprises a light control device which comprises a liquid crystal element 1 in which liquid crystal 2 is sealed between opposing substrates 8, said liquid crystal 2 is a polymer network liquid crystal. A gap interposed between opposing substrates 8 in an effective optical path has a width between about 4  $\mu\text{m}$  and about 11  $\mu\text{m}$ . Optically transparent electrodes 9 are provided on gap-side surfaces of each of the opposing substrates 8 and in contact with the liquid crystal.

This is clearly unlike Kubota, which fails to teach or suggest optically transparent electrodes 9 are provided on gap-side surfaces of each of the opposing substrates 8 and in contact with the liquid crystal. In fact, as the Examiner correctly pointed out Kubota discloses a liquid crystal element sealed between opposing substrates 102, and optically transparent electrodes 105, 107 provided on gap-side surfaces of the opposing substrates 102. However, Kubota teaches that optically transparent electrodes 105, 107 are sandwiched between opposing substrates 102 and insulating layers 109. As such, Kubota fails to teach or suggest optically transparent electrodes in contact with the liquid crystal. For at least this reason, Kubota fails to teach or suggest all of the limitations of Claim 1.

Thus, Claim 1 is patentable over Kubota, as are dependent Claims 2 and 3, for at least the same reasons.

Accordingly, Applicants respectfully request that these claim rejections be withdrawn.

### **III. 35 U.S.C. § 103 Obviousness Rejection of Claims 4 - 8**

Claims 4-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kubota in view of Hosoyamada (U.S. Patent No. 6,414,740).

Claims 4 and 5 are dependent on Claim 1 shown above to be patentable over Kubota. Moreover, in addition to Kubota Hosoyamada also fails to teach or suggest optically transparent electrodes provided on gap-side surfaces of each of the opposing substrates and in contact with the liquid crystal. As such, Kubota and Hosoyamada may not be properly combined to reject independent Claim 1.

Thus, Claim 1 is patentable over Kubota and Hosoyamada, as is dependent Claim 6, for at least the same reasons.

Claim 6, amended to recite the same distinguishable limitation as that of Claim 1, is also patentable over Kubota and Hosoyamada, as are dependent Claims 7 and 8, for at least the same reasons.

Accordingly, Applicants respectfully request that these 35 U.S.C. § 103 rejections be withdrawn.

**IV. 35 U.S.C. § 103 Obviousness Rejection of Claims 9**

Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kubota in view of Hosoyamada and in further view of Yanagida et al. ("Yanagida") (U.S. Publication No. 2002/0097369).

Claim 9 is indirectly dependent on Claim 1 shown above to be patentable over Kubota and Hosoyamada. Moreover, in addition to Kubota Hosoyamada Yanagida also fails to teach or suggest optically transparent electrodes provided on gap-side surfaces of each of the opposing substrates and in contact with the liquid crystal. As such, Kubota, Hosoyamada and Yanagida may not be properly combined to reject independent Claim 1.

Thus, Claim 1 is patentable over Kubota, Hosoyamada and Yanagida, as is dependent Claim 9 for at least the same reasons.

Accordingly, Applicants respectfully request that these 35 U.S.C. § 103 rejections be withdrawn.

**V. Conclusion**

In view of the above amendments and remarks, Applicant submits that Claims 1 – 10 are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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